

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

Gail M. Mikell fka Gail M. Powell

Case No.: 15-22049-rdd
Chapter 13

Debtor.

ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY

Upon the motion (the “Motion”) of U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust, by Caliber Home Loans, Inc., as its attorney in fact (with any subsequent successor or assign, the “Movant”) for relief pursuant to 11 U.S.C. § 362(d) from the automatic stay in effect in this case under 11 U.S.C. §362(a) with respect to the Movant’s interest in the real property located at 138 Hutchinson Boulevard, Mount Vernon, NY 10552 (the “Property”); and, after due and sufficient notice, the Movant and the debtor herein (the “Debtor”) having resolved the Motion under the terms of the Court’s conditional order dated June 19, 2018 (the “Conditional Order”); and upon the affirmation of non-compliance, dated November 6, 2018, submitted by Courtney R Williams, Esq., counsel for the Movant, it appearing that the Debtor is in material default under the Conditional Order and that the Movant has complied with its obligations under the Conditional Order; and after due deliberation, good and sufficient cause appearing for the relief granted herein, it is hereby

ORDERED, that the automatic stay under 11 U.S.C. § 362(a) is terminated pursuant to 11 U.S.C. §362(d)(1) as to Movant’s interest in the Property to permit the Movant to enforce its rights in, and remedies in and to, the Property under applicable non-bankruptcy law, including, without limitation, loss mitigation, foreclosure and eviction proceedings; and it is further

ORDERED, that the Movant shall promptly report and turn over to the chapter 13 trustee any surplus proceeds of the Property

Dated: November 21, 2018
White Plains, New York

/s/ Robert D. Drain

UNITED STATES BANKRUPTCY JUDGE